BILL NO. Z-83-01-04

ZONING MAP ORDINANCE NO. Z-Lash

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-23.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B (General Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

South 70 feet of Lots 483, 484 & 485 Fairfield Terrace Addition, Section B and the North 70 feet of Lots 551, 552 & 553 in Fairfield Terrace Addition, Section B

and the symbols of the City of Fort Wayne, Zoning Map No. M-23, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and the legal publication thereof.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Stier, seconded by GiaQuinta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on ________, the ________ day of ________, 19__, at ________ o'clock ___.M.,E.S.T.

DATE: 1-11-83

[signature]
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES		8		1	
BRADBURY		✓			
BURNS		✓			
EISBART		✓			
GiaQUINTA		✓			
SCHMIDT				✓	
SCHOMBURG		✓			
SCRUGGS		✓			
STIER		✓			
TALARICO		✓			

DATE: 2-8-83

[signature]
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. ________ on the ________ day of ________, 19___.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the ________ day of ________, 19___, at the hour of ________ o'clock ___.M.,E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this ________ day of ________ 19___, at the hour of ________ o'clock ___.M.,E.S.T.

WIN MOSES, JR. - MAYOR

THIS IS TO BE FILED IN DUPLICATE

RECEIPT NO. ____________

DATE FILED ____________

INTENDED USE ____________

I/We GEORGE R COTTERMAN - WILBUR E AKE
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B3B District the property described as follows:

(Legal Descrption) If additional space is needed, use reverse side.

SOUTH 70 FEET OF LOTS # 483, 484 + 485 FAIRFIELD TERRACE ADDITION SECTION B

NORTH 70 FEET O LOTS # 551-552-553 FAIRFIELD TERRACE ADDITION SECTION B

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
GEORGE R. COTTERMAN	6030 S.CALHOUN ST	George R Cotterman
WILBUR E. AKE	6102 S.CALHOUN ST	Wilbur E. Ake

(If additional space is needed, use reverse side.)

Legal Description checked by ____________

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinar being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Bart Cotterman	6030 S. Calhoun	745-9941 456-9001

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Heari approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

12-6-82

We the undersigned are not bothered by the repairing of vehicles for Peterson Wrecker Service at 6102 S. Calhoun St.

Also we have no objections to the repairs of other vehicles being done at 6102 S. Calhoun St.

1. Phil E. Harris Jr. 6110 S. Calhoun 745-7559
2. [illegible] 6030 S. Calhoun 745-9942
3. Laurie Mayer 6030 S. Calhoun 745-9942
4. Nancy Jones 212 Pursley Dr. 744-3058
5. [illegible]
6. [illegible] Peterson
7. Pat Harris 6110 S. Calhoun St 745-7559
8. Bonnie Harris 6110 So. Calhoun St 745-7559
9. [illegible] 6133 S. Calhoun 456-5340
10. Robin L. Peterson
11. Dan Movinger
12. Kenny Estes
13. Carolyn Novinger
14. Donna Jarvis 320 Pursley Dr.
15. Phyllis Maddux 531 W. Dori Lynn 745-7478
16. Wes Jones 212 Pursley 744-3058
17. David Jarvis 320 Pursley 744-3801
18. Ala Jakina 6002 S. Calhoun 745-1539
19. Nancy Grdoff 6016 So. Calhoun 745-7695
20. [illegible] McGrdoff 6016 S. Calhoun 745-7695
21. Betty Blew
22. Mike Blew 6103 Fairfield 456-5382
23. David Nichols 745 3798
24. Shirley A. Nichols 3907 Pursley 745-3798
25. Blanch Mae Weddifield 3450 Pursley 456-6417
26. Brad A Falk 333 Pursley Dr 745-4079
27. Alma Malone 745-3120

28	Roycedean Hunter	210 Pursley Dr	745-7487
29	Esther Hunter	210 Pursley Dr.	745-7487
30	Deana Hunter	210 Pursley Dr	745-7487
31	Janet Zall	125 W. Burns Blvd	456-6722
32	Timothy Zall	125 W. Burns	456-6722
33	[illegible]	6110 So Crest [illegible]	744 1640
34	Sharon Lapatina	6110 Southcrest Rd	744-1640
35	[illegible] Robinson	6626 South Calhoun	745-0347
36	Bertha Robinson	6026 S. Calhoun	745-0347
37	Richard L. Lamp Jr.	5919 SO. CALHOUN ST.	745-5704
38			
39			
40			

12-6-82

We the undersigned are not bothered by Peterson Wrecker service at 6030 S. Calhoun.

We have no objection to the answering service or trucks being at 6030 S. Calhoun, or being parked there.

1. Mona Jones 212 Pursley Dr 744-3058
2. Sharon M. Ake 6102 S. Calhoun 745-3824
3. William E. Ake 6102 S. Calhoun 745-3824
4. Phil E. Harris Jr. 6110 S. Calhoun 745-7559
5. Wilbert [illegible]
6. Phil Harris Sr. 6110 S. Calhoun St 745-7559
7. Bonnie Harris 6110 So. Calhoun 745-7559
8. [illegible] 6133 So Calhoun 456-5340
9. Kevin L. Peterson
10. Dan Novinger
11. Kenny Estes
12. Carolyn Novinger
13. Donna Jarvis 320 Pursley Dr.
14. Phyllis Muldoon 531 W Don Lynn 745-7478
15. Wes Jones 212 Parsley DR 744-3058
16. David Jarvis 320 PURSLEY DR. 744-3809
17. Alan Jenkins 6002 S. CALHOUN 745-1539
18. Nana Goloff 6016 So Calhoun St 745-7665
19. Mike Janis " " "
20. Betty Blew
21. Mike Blew 6103 Fairfield 456-5382
22. David F. Nichols 745-3798
23. Shirley A. Nichols 745-3798
24. Blanch M. Woodfield 456-6417
25. Brad A. Falk 333 Pursley Dr 745-4079
26. Alma Malone 209 Pursley Dr. 745-3120
27. Roycedian Hunter 210 Pursley Dr 745-7487
28. Esther Hunter 210 Pursley Dr. 745-7487

29	Deana Hunter	210 Pursley	745-7487
30	Timothy Zoll	125 Burns	466-6722
31	Janet A. Zoll	125 Burns	456-6722
32	[illegible]	6110 So. [illegible]	744 1640
33	Sharon Capatina	6110 Southcrest Rd.	744-1640
34	Phil a [illegible]	6026 So. Calhoun St.	745-0347
35	Bertha Robeson	6026 So. Calhoun St.	745-0347
36	Richard L. Camp [illegible]	5919 SO. CALHOUN ST	745-5704
37			
38			
39			
40			

101

No. 190-82

WARNING NOTICE

PLAN COMMISSION
CITY OF FORT WAYNE
ONE EAST MAIN STREET - 423-7571

NOTICE OF ZONING ORDINANCE VIOLATION

DATE 12-2-82 TIME

NAME WILBUR ARE

ADDRESS 6102 S. CALHOUN

YOU ARE HEREBY GIVEN ( ) DAYS TO CORRECT THIS ZONING VIOLATION, TO-WIT=

____ NO LAND USE PERMIT

____ NO CERTIFICATE OF OCCUPANCY

____ FAILURE TO COMPLY WITH APPROVED PLAN

NOT ZONED FOR WRECKING SERVICE - MUST DISCONTINUE IN 10 DAYS OR APPLY FOR BZA.

CHAPTER 36 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE STATES A FINE OF $300.00 PER DAY, FOR EACH DAY, COULD BE ASSESSED IN SUPERIOR COURT FOR VIOLATIONS.

FAILURE TO CORRECT THE ABOVE VIOLATION COULD RESULT IN AN AFFIDAVIT BEING ISSUED FOR YOUR APPEARANCE IN SUPERIOR COURT.

Don Dammeyer
ZONING INVESTIGATOR

[signature] VARIENCE
VIOLATOR

No. 189-82

WARNING NOTICE

PLAN COMMISSION
CITY OF FORT WAYNE
ONE EAST MAIN STREET - 423-7571

Bob

NOTICE OF ZONING ORDINANCE VIOLATION

DATE 12-2-82 TIME

NAME Peterman Wrecking Co.

ADDRESS 6030 S. CALHOUN

YOU ARE HEREBY GIVEN (10) DAYS TO CORRECT THIS ZONING VIOLATION, TO-WIT=

____ NO LAND USE PERMIT

____ NO CERTIFICATE OF OCCUPANCY

X FAILURE TO COMPLY WITH APPROVED PLAN

NOT ZONED FOR BUSINESS MUST STOP IN 10 DAYS

CHAPTER 36 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE STATES A FINE OF $300.00 PER DAY, FOR EACH DAY, COULD BE ASSESSED IN SUPERIOR COURT FOR VIOLATIONS.

FAILURE TO CORRECT THE ABOVE VIOLATION COULD RESULT IN AN AFFIDAVIT BEING ISSUED FOR YOUR APPEARANCE IN SUPERIOR COURT.

Don Dammeyer
ZONING INVESTIGATOR

Bart Ottermann
VIOLATOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 11, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-01-04; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1983.

Certified and signed this
26th day of January 1983.

Stephen A. Bailey
Secretary

Fasnacht

BILL NO. Z-83-01-04

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-23

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do not PASS.

JAMES S. STIER, CHAIRMAN	James Stier
JANET G. BRADBURY, VICE CHAIRMAN	Janet G. Bradbury
VICTURE L. SCRUGGS	Victure Scruggs
MARK E. GiaQUINTA	Mark E. GiaQuinta
ROY J. SCHOMBURG	Roy J. Schomburg

CONCURRED IN

DATE 2-8-83 CHARLES W. WESTERMAN, CITY CLERK

PRESCRIBED BY STATE BOARD OF ACCOUNTS

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

№ 8130

FT. WAYNE, IND., Dec. 10 1982

RECEIVED FROM George & Barbara Cotterman $50.00

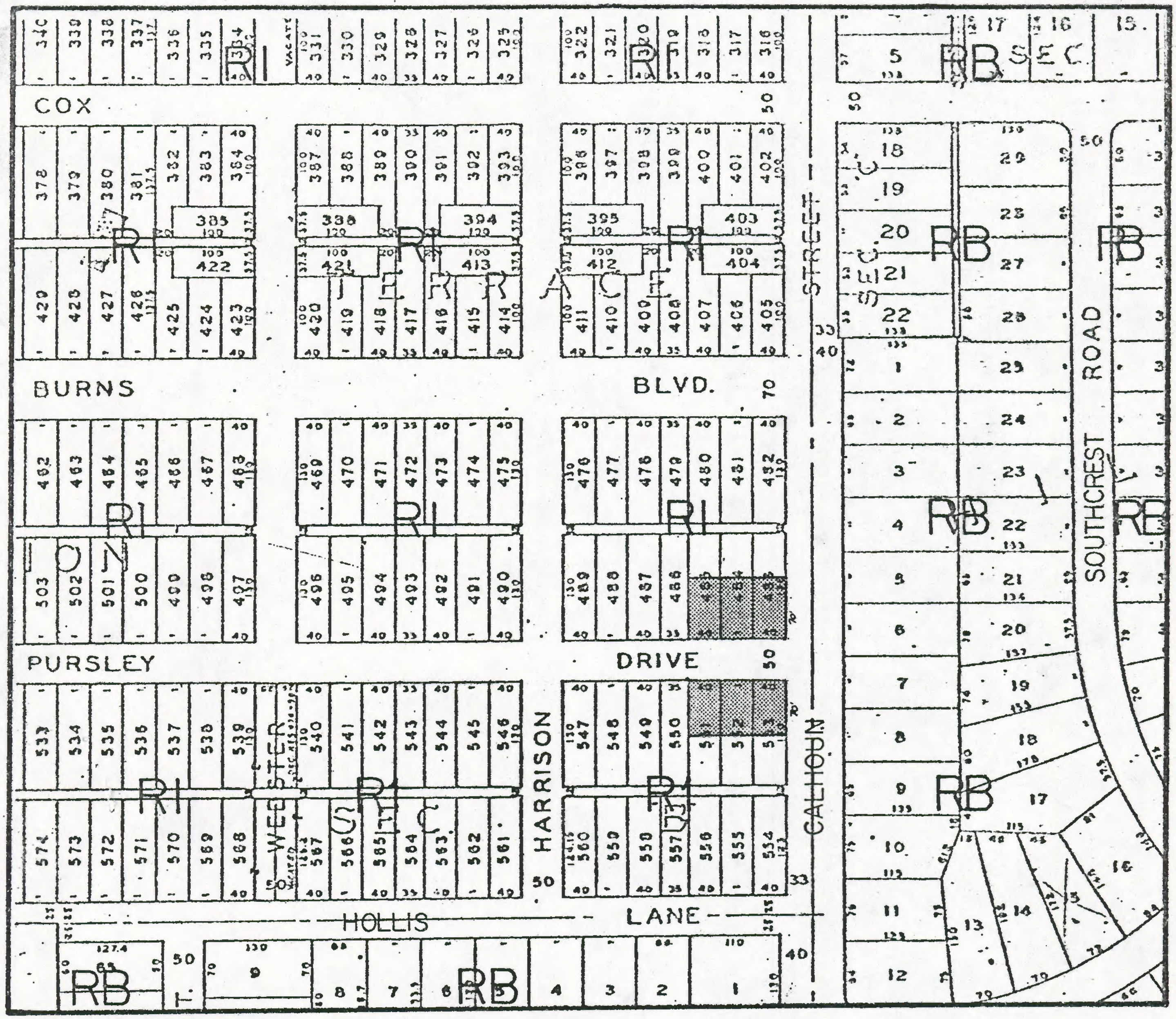
THE SUM OF Fifty Dollars 00/100 DOLLARS

ON ACCOUNT OF Rezoning Filing Fee

Lots 483-485 / 551-553 Fairfield Terrace

Gary Baxter

AUTHORIZED SIGNATURE



AN APPEAL TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R-1 TO A B3B DISTRICT.

MAP NO. M-23

DATE: DEC. 10, 1982

Z-83-01-04

By M. A. GECOWETS

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-83-01-04

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE South 70 feet of Lots 483, 484 & 485 Fairfield Addition, Section B; North 70 feet of Lots 551, 552 & 553 Fairfield Addition, Section B.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential. Property will become B-3-B - General Business.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

26 January 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held January 24, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-01-04

2. From R-1 to B-3-B

3. Intended Use: Wrecker Dispatch Service & Car Repair

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   REASON: The use or value of the area adjacent to the property included in this rezoning will be affected in a substantial manner by permitting a broad range of commercial uses in a well maintained residential area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten pb

Gary F. Baeten
Senior Planner

GFB:pb

Attachments